

**§ 989.221**

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Percent well-matured or reasonably well-matured:	Dockage factor
39.9 .....	0.9235
39.8 .....	.9220
39.7 .....	.9205
39.6 .....	.9190
39.5 .....	.9175
39.4 .....	.9160

(b) *Non-eligible countries.* The Committee may not sell reserve raisins to handlers for export to Cuba, Puerto Rico, the U.S. Virgin Islands, Canada, Mexico, and all islands adjacent to Canada and Mexico.

[58 FR 48275, Sept. 15, 1993]

NOTE TO PARAGRAPH (d): Percentages less than the last percentage shown in the table shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .0015 less than the dockage factor for the preceding increment.

[25 FR 12813, Dec. 14, 1960; 27 FR 2506, Mar. 16, 1962, as amended at 52 FR 32776, Aug. 31, 1987; 53 FR 34715, Sept. 8, 1988; 53 FR 49296, Dec. 7, 1988; 54 FR 43041, Oct. 20, 1989; 63 FR 56785, Oct. 23, 1998; 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]

**§ 989.221 Sale and export of reserve raisins by handlers.**

(a) *Eligible countries.* Pursuant to § 989.67(c), the Committee may sell reserve raisins to handlers for export to all markets in the world except those listed in paragraph (b) of this section.

EDITORIAL NOTE: After January 1, 1979, “Budget of Expenses and Rate of Assessment” regulations (e.g., sections .300 through .399) and “Marketing percentage” regulations (e.g., sections .222 through .299) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 989.257 Final free and reserve percentages.**

(a) The final percentages for the respective varietal type(s) of raisins acquired by handlers during the crop year beginning August 1, which shall be free tonnage and reserve tonnage, respectively, are designated as follows:

Crop year	Varietal type	Free percentage	Reserve percentage
2003–04 .....	Natural (sun-dried) Seedless .....	70	30
2005–06 .....	Natural (sun-dried) Seedless .....	82.50	17.50
2006–07 .....	Natural (sun-dried) Seedless .....	90	10
2007–08 .....	Natural (sun-dried) Seedless .....	85	15
2008–09 .....	Natural (sun-dried) Seedless .....	87	13
2009–10 .....	Natural (sun-dried) Seedless .....	85	15

(b) The volume regulation percentages apply to acquisitions of the varietal type of raisins for the applicable crop year until the reserve raisins for that crop are disposed of under the marketing order.

[75 FR 20901, Apr. 22, 2010]

**Subpart—Assessment Rates**

**§ 989.347 Assessment rate.**

On and after August 1, 2010, an assessment rate of \$14.00 per ton is established for assessable raisins produced from grapes grown in California.

[76 FR 18007, Apr. 1, 2011]

**Subpart—Schedule of Payments**

**§ 989.401 Payments for services performed with respect to reserve tonnage raisins.**

(a) *Payment for crop year of acquisition—(1) Receiving, storing, fumigating, and handling.* Each handler shall be compensated at a rate of \$46 per ton (natural condition weight at the time of acquisition) for receiving, storing, fumigating, and handling the reserve tonnage raisins, as determined by the final reserve tonnage percentage, acquired during a particular crop year and held by the handler for the account of the Committee during all or any part of the same crop year.

(2) *Inspection.* Each handler shall be reimbursed by the Committee for inspection costs applicable to the reserve

tonnage raisins, as determined by the final reserve tonnage percentage, received and held by him for the account of the Committee. Such payment shall be made at the currently applicable rate per ton paid by such handler to the Inspection Service and on the quantity reported by the handler. The Committee shall pay the cost of any inspection required by it of such reserve tonnage raisins while they are being held for its account: *Provided*, That the cost of inspection of any raisins substituted, pursuant to § 989.66(b)(3), by a handler for such reserve tonnage raisins, or which he received by transfer from another handler by purchasing, as permitted pursuant to § 989.166, a portion or all of such other handler's share of an offer, shall be borne by the handler and shall not be reimbursed to him by the Committee.

(b) *Additional payment for reserve tonnage raisins held beyond the crop year of acquisition.* Additional payment for reserve tonnage raisins held beyond the crop year of acquisition shall be made in accordance with this paragraph. Each handler holding such raisins for the account of the Committee on August 1 shall be compensated for storing, handling, and fumigating such raisins at the rate of \$2.30 per ton per month, or any part thereof, between August 1 and October 31, and at the rate of \$1.18 per ton per month, or any part thereof, between November 1 and July 31: *Provided*, That handlers holding 2002–03 Natural (sun-dried) Seedless reserve raisins on August 1, 2003, that are intended for use as cattle feed shall be compensated for storing, handling, and fumigating such raisins at the rate of \$2.30 per ton per month, or any part thereof, between September 13 and October 31, 2003, and at the rate of \$1.18 per ton per month, or any part thereof, between November 1, 2003, and July 31, 2004. Such services shall be completed so that the Committee is assured that the raisins are maintained in good condition.

(c) *Payment of rental on boxes and bins containing raisins held beyond the crop year of acquisition.* Payment of rental on boxes and bins containing reserve tonnage raisins held beyond the crop year of acquisition shall be made in accordance with this paragraph. Each

handler, producer, dehydrator, and other person who furnishes boxes or bins in which such raisins are held for the account of the Committee on August 1, shall be compensated for the use of such boxes and bins: *Provided*, That persons holding 2002–03 Natural (sun-dried) Seedless reserve raisins on September 13, 2003, that are intended for use as cattle feed shall be compensated for the use of such boxes and bins, and that no compensation shall be accrued for such raisins held between August 1 and September 12, 2003. The rate of compensation shall be: For boxes, two and one-half cents per day, not to exceed a total payment of \$1 per box per year, per average net weight of raisins in a sweatbox, with equivalent rates for raisins in boxes other than sweatboxes; and for bins 20 cents per day per bin, not to exceed a total of \$10 per bin per year. For purposes of this paragraph, *box* means any container with a capacity of less than 1,000 pounds, and *bin* means any container with a capacity of 1,000 pounds or more. The average net weight of raisins in each type of box shall be the industry average as computed by the Committee for the box in which the raisins are so held. No further compensation shall be paid unless the raisins are so held in the boxes on the succeeding August 1.

(d) *Payment for other services—(1) General.* In addition to the payments provided in paragraphs (a), (b), and (c) of this section, handlers shall be compensated for other services performed with respect to reserve tonnage raisins as set forth in this paragraph.

(2) *Transportation.* The Committee may arrange with any handler for transporting reserve tonnage raisins. Payment for such transportation shall be based on then prevailing haulage rates within the production area for the type of transportation required.

(3) *Packing.* A handler who accepts an offer by the Committee to pack reserve tonnage raisins for its account shall be compensated for such packing in an amount determined by or acceptable to the Committee. In considering the amount of compensation to be paid, the Committee shall take into account, among other factors, the particular varietal type of raisins to be packed, the particular pack or package required,

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and the quantity and quality of the raisins to be packed.

(4) *Redelivery.* In the event the Committee removes reserve tonnage raisins of a previous crop year from a handler upon the request provided for in § 989.66(f) and such handler subsequently desires redelivery to him of reserve tonnage raisins for contract packing, or other purpose, he shall reimburse the Committee in advance of such redelivery for the net costs to it of the removal, storage, and redelivery of such raisins: *Provided*, That the Committee may waive payment by the handler of part or all of such costs if it determines that such waiver is reasonably necessary to the prompt and favorable disposition of the raisins involved.

[32 FR 15917, Nov. 21, 1967, as amended at 49 FR 18731, May 2, 1984; 53 FR 49297, Dec. 7, 1988; 54 FR 35636, Aug. 29, 1989; 65 FR 30527, May 12, 2000; 68 FR 44859, July 31, 2003]

**Subpart—Conversion Factors**

**§ 989.601 Conversion factors for raisin weight.**

The following factors for the named varietal types of raisins shall be used to convert the net weight of reconditioned raisins acquired by handlers as packed raisins to natural condition weight. The net weight of the raisins after the completion of processing shall be divided by the applicable factor to obtain the natural condition weight: *Provided*, That the adjusted weight does not exceed the original weight of the raisins prior to reconditioning; and *Provided further*, That, if the adjusted weight exceeds the original weight, the original weight will be used.

Varietal type	Conversion factor
Natural (sun-dried) Seedless .....	0.92
Golden Seedless, Dipped Seedless, Other Seedless, and Other Seedless-Sulfured .....	0.95
Muscats (including raisins with seeds):	
Seeded .....	0.80
Unseeded .....	0.92
Sultana .....	0.92
Zante Currant .....	0.91

[54 FR 41587, Oct. 11, 1989, as amended at 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]

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**Subpart—Quality Control**

**§ 989.701 Minimum grade and condition standards for natural condition raisins.**

Effective pursuant to § 989.58, raisins meeting the varietal standards herein-after set forth shall be considered as standard raisins and those failing to meet such standards shall be considered as off-grade raisins. Where the raisins in any lot consist of two or more varietal types commingled within their containers, the lot shall be considered as a mixed lot and as standard raisins if they meet for each defect the most restrictive requirements for the varietal types of raisins comprising the lot. In the event layered Muscats (including other raisins with seeds) or Cluster Seedless raisins are commingled within their containers with loose Muscats (including other raisins with seeds) or loose Cluster Seedless raisins respectively, the entire lot shall be considered as loose Muscats (including other raisins with seeds) or Natural (sun-dried) Seedless raisins. The raisins shall be considered as standard raisins if the lot as a whole meets the minimum standards for loose Muscats (including other raisins with seeds) or Natural (sun-dried) Seedless raisins: *Provided*, That with respect to the requirements peculiar to a varietal type such as possessing characteristic color, flavor, or odor, the raisins shall be considered as meeting such requirements if they have been properly prepared as raisins. In each category, only those raisins which have been properly dried and cured in original natural condition, are free from active infestation, and are in such condition that they are capable of being received, stored, and packed without undue deterioration or spoilage, shall be considered as storable raisins.

(a) *Natural (sun-dried) Seedless, Monukka and Other Seedless raisins.* Natural condition Natural (sun-dried) Seedless, Monukka and Other Seedless raisins shall have been prepared from sound, wholesome, matured grapes properly dried and cured, and shall meet the following additional requirements: (1) Shall be fairly free from damage by sugaring, mechanical injury, sunburn, or other similar injury;